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10/075,082

02/13/2002

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7564

7590

11/18/2003

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EXAMINER

MARKS, CHRISTINA M

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 11/18/2003

2p

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,082

Applicant(s)

PARRA ET AL.

Examiner

C. Marks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s) _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

Information Disclosure Statement

The Examiner notes that the Examiner has cited the reference in the specification and therefore the Applicant need not submit the IDS.

Drawings

The objection to the drawings for not showing the headset for use by the dealer has been withdrawn due to the corrected drawings filed 14 October 2003.

The objection to the drawings for using the reference character "71" for two different parts has been withdrawn due to the corrected drawings filed 14 October 2003.

The objection to the drawings for not including the following reference characters "77", "78", and "80" has been withdrawn due to the corrected drawings filed 14 October 2003.

However, the drawing remain objected to under 37 C.F.R. 1.83(a) as they do not show the caricature features of the animals on the table as claimed.

Therefore, a second proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the Application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The objection to claim 3 under 35 U.S.C. §112, second paragraph, has been withdrawn due to the cancellation of the claim in the amendment filed 14 October 2003.

Claim Rejections - 35 USC § 103

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The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706).

Walsh discloses a casino game station that has a table including an upper surface (FIG 1, reference 25) wherein though Walsh does not explicitly disclose so, the table axiomatically has marking thereon for use in the playing of a game of chance wherein a plurality of playing stations are designated for each player to participate in a game of chance. Further a dealer station would also be axiomatic. Walsh also discloses a canopy extending from a vertical extension wherein the canopy is placed above the table (FIG 1, reference 22). Inside the canopy is disposed a motion video camera positioned towards the upper surface to record the playing of the game being played on the upper surface of the table (Column 1, lines 45-47).

Though Walsh does disclose a canopy member extending from a vertical support of the ceiling, the exact format as claimed by the applicant is not disclosed.

Chapman discloses a second alternative method for supporting a camera used to record footage. Chapman discloses a pedestal that includes a base member and a member extending vertically from the base until an upper end. At the upper end, a horizontal member extends until an upper end wherein the camera is disposed.

It would have been obvious to one of ordinary skill in the art to employ the structural means of Chapman into the system of Walsh. The means in which the camera is mounted is a design choice, and absent a showing of criticality would have been obvious to one of ordinary skill in the art. In the incorporation of the Chapman design into the system of Walsh, one of

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ordinary skill in the art would understand the camera would be disposed in a canopy as it is disclosed by Walsh that monitoring should be unobtrusive (Column 1, lines 41-42).

Further, it would be obvious to use the crane system of Chapman as opposed to solely mounting the camera on the ceiling as is known in the art and also disclosed by Walsh that monitoring should be concealed as well as be at a close distance to the table. Thus by using a crane system with a canopy as a design alternative, a system where the camera would be unobtrusive to the user and still within an acceptable distance to the table would be achieved. Absent from the fact that the crane system is a very obvious design choice of one in the art, one of ordinary skill in the art would be further motivated to employ the crane system as it would allow for a better position of the camera as well as the ability to incorporate a camera with more features as using the crane would inherently provide more room to store the camera, thus allowing larger more powerful cameras.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Wynn et al. (US Patent No. 5,971,271).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh does not disclose a headset for the dealer in order to be connected to a supervisor. However, it is well known in the art that dealers are in constant communication with their supervisors in order to keep an order to the game as well as for contact in case of arising situations.

Wynn et al. disclose incorporating an audio channel between a user and a central location manned by those who can communicate with the user in order to provide assistance

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(Abstract). Though Wynn et al. disclose this functionality to assist the players, one of ordinary skill in the art would immediately recognize the functionality disclosed by the headset device could be equally adaptive to a table game in order to keep the dealer in communication with supervisors. One of ordinary skill in the art would be motivated to provide the dealer at the table as disclosed by Walsh et al. with such a headset in order to allow the dealer to communicate audio messages to the supervisor who is viewing the feed of the camera to not only provide the supervisor with more information relating to the game but to also receive instructions from the supervisor as how to handle situations the supervisor may see arising. This would increase the security of the table already present by the camera thus creating an even greater means to ensure the integrity of the game within the casino.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Parra et al. (US Patent No. 5,876,283).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Because the disclosure of Walsh is related to the security features of the gaming table and not the table itself, Walsh does not explicitly disclose the markings that make up the table.

Subsequently; however, the markings on a gaming table are notoriously well known in the art are thereby obvious design choices.

In concurrence to that which is being claimed, Parra et al. disclose the marking on the upper surface of the table include caricatures of animals at each play station with each station have an associated animal. Parra et al. discloses that by associating each position with an animal it adds aesthetics to the game that will provide the bettor with a distinguishing factor in

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their choice of sitting position that will thus cause a loyalty to that position (Column 6, lines 5-15).

One of ordinary skill in the art would have been thus motivated to incorporate animals only the table as disclosed by Walsh in order to provide the bettors with a distinguishing factor and thereby creating loyalty as disclosed by Parra et al. One of ordinary skill in the art would be motivated to do this as it is an obvious design choice as well as the fact that by creating loyalty, players will be more likely to continue to play there and thus continue to make bets.

Claims 4, 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Sines et al. (US Patent No. 6,270,404).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh and Chapman do not disclose incorporating a means to display information in their systems.

Sines et al. disclose using a monitor for displaying the game to the user as the user plays (FIG 2). These monitors show the contents of the game to the players by substituting for actual cards. Further, during idle times in the game, the monitors are used to display advertising material to the players (Column 17, lines 32-35).

It would have been obvious to one of ordinary skill in the art to employ the display means of Sines et al. into the system of Walsh et al. wherein instead of displaying the cards to the player as disclosed by Sines et al. the system of Walsh et al. would broadcast that which is being filmed. It is notoriously well known in the art that the filmed data from the camera is broadcast for viewing. By incorporating the teaching of Sines et al. involving using monitors at

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the gaming table, it would be obvious to one of ordinary skill in the art that these monitors could also be used not only to enhance security in games where cards are replaced, but also be used to enhance security in games where cards are not replaced by displaying the taped game to the users. By doing this, the users would be more aware of what is going on around them and would be more inclined to detect and report mischievous acts as such acts could directly affect them. Therefore, one of ordinary skill in the art would be motivated to incorporate the filmed data from an actual card game into the monitor of Sines et al. as by involving a greater number of people in the security of the system, the casino security would get a lot more exposure thus becoming more effective.

Further, one of ordinary skill in the art would be motivated to mount this monitor on the pedestal apparatus as disclosed by Chapman because when the monitor would be displaying advertising material as disclosed by Sines et al. it would reach a greater amount of people in the casino as opposed to just the players of the table game thus enhancing the value of the advertisement. The placement of the monitor would be a design choice and it would thus be obvious to one of ordinary skill in the art. Additionally, one of ordinary skill in the art would be further motivated to mount the monitor in a higher position, such as the number of mounting positions axiomatically available on the Chapman crane, as it would then be able to be broadcast to a number of people instead of just the user at the playing station. In addition to advertising displays, one of ordinary skill in the art would further understands that by mounting the displays at a higher position as disclosed above to broadcast the camera signal, a greater number of patrons/employees would be encompassed in monitoring security as the feed from the game would be broadcast to the entire viewing area thus greatly discouraging cheaters as they would feel more likely to be caught.

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Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Parra et al. (US Patent No. 5,839,960).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Because the disclosure of Walsh is related to the security features of the gaming table and not the table itself, Walsh does not explicitly disclose a socket for use with a telephone for patrons.

Parra et al. disclose a gaming table that incorporates a telephone into the table in order to provide the players with the opportunity to make or receive calls, make reservations, etc. without having to leave the table (Column 12, lines 30-67). By making this incorporation, each player can be provided with the convenience of being in contact with those not at the table, but not have to leave their spot at the table in order to do so.

One of ordinary skill in the art would thus be motivated to make this incorporation into the system of Walsh, as it is disclosed by Parra et al. that player convenience is thus enhanced and thus the player will not be forced to move from their spot at the table in order to take care of business issues. Further, such a design choice would have been obvious to one of ordinary skill in the art. It is known in the art that sometimes players wait a long time to achieve their spots as well as the fact that players may think that their current spot is lucky. Thus, by allowing players to make contact with others without having to leave the table as disclosed by Parra et al. the players enjoyment would be greatly increased and the player would be more likely to stay at their position and thus place more bets likely to generate even more revenue for the casino.

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Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Jones, II et al. (US Patent No. 6,154,131).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh does not disclose what becomes of the video that is taped from the cameras disposed in the canopy. However, it is notoriously well known in the art that when surveillance cameras are being used to monitor gaming tables, the feed from the camera is sent to a remote video display for observation by a supervisor.

Jones, II et al. support this fact as it is disclosed that video surveillance requires a human element that must always be present and evaluate the actions of the persons at the gaming table as taped by the optical security system.

Therefore, it is obvious to the system of Walsh that a remote video display is connected to the video camera wherein a human element must be monitoring the feed in order to detect cheating and/or other mischievous acts.

Claims 8-9 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Breeding et al. (US Patent No. 6,299,534).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh and Chapman do not disclose a tray in accordance with the pedestal in which the tray can be fitted with a retainer for retaining extra chips.

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Dealer stations are notoriously well known in the art as assistance means to provide the dealer with extra paraphernalia that may be required in the game. Such stations are known to include extra chip retainers. These caddies can be associated with the table or movable from table to table.

Breeding et al. disclose such a type of caddy (FIG 1) that provides the dealer with supplemental functionality in addition to what can be stored at the table. Though Breeding et al. do not explicitly disclose that a chip retainer is held in the station, such an incorporation would have been obvious to one of ordinary skill in the art as it is notoriously well known that every dealer needs sets of chips to properly handle wagers and that the chips can be used at a relatively fast pace, thus supplying an extra retainer would be obvious to one of ordinary skill in the art.

Further, it would have been obvious as a design choice to mount the tray at a location other than on the actual gaming table. One of ordinary skill in the art would understand the location to which the station is mounted is not critical and thus obvious as long as it is in a position of easy accessibility by the dealer. Thus it would have been obvious to one of ordinary skill in the art to mount the station on the crane as provided by Chapman as the station would still be easily accessible by the dealer. Further, one of ordinary skill in the art would be motivated to mount the tray on the crane as there is plenty of area available on the crane and by moving the tray there, the area of the table would not be thus crowded and special adaptations would not be required to the table which is known to be constantly changed. By incorporating the dealer station in the stationary crane device, it would not become a concern when the table top is being serviced, as the felt is often changed in addition to the actual game as is notoriously well known in the art.

Response to Arguments

Applicant's arguments filed 14 October 2003 have been fully considered but they are not persuasive.

Regarding the Applicant's argument that the crane of Chapman is non-analogous to the lights and surveillance of Walsh, the Examiner respectfully disagrees. The Examiner first notes the classification of the Chapman patent is defined in the Manual of Classification as PHOTOGRAPHY / CAMERA SUPPORT / ADJUSTABLE SUPPORT. Secondly, the information cited in the Chapman patent is not the actual use(s) of the device, but the structural support of the camera, and the camera itself, as evidenced by its classification. Therefore using the test of nonanalogous art presented by the Applicant, the Examiner contends that the reference is within the field of the inventor's endeavor as it is drawn to camera support (as evidenced by the Office action and the classification) that is part of the limitation expressed in the Applicant's claim. Further, in discussion of the second part of the nonanalogous test presented by the Applicant, the Examiner further contends that the reference is reasonably pertinent to the particular problem as it is drawn for a structure to support a motion video camera used to obtain video which again is a part of the limitation expressed in the Applicant's claim.

Regarding the Applicant's argument that there is no suggestion in Walsh of a need for using other supporting structures, therefore there is no need for one familiar with Walsh to look for a reference similar to Chapman, the Examiner respectfully disagrees as some flaws associated with the Walsh reference have been identified that could be corrected with the Chapman support. For example, the crane system would allow for better positions, the ability to scan, the ability to incorporate a larger camera with more monitoring features, as well as providing more room for the camera to be positioned.

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The elements of the rejections contended by the Applicant has been discussed and addressed above and for the reasons highlighted therein are not persuasive. As no further arguments have been presented regarding the Examiner's rejections, the rejections stand as presented.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Marks whose telephone number is (703)-305-7497. The examiner can normally be reached on Monday - Thursday (7:30AM - 5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa J Walberg can be reached on (703)-308-1327. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1148.



cmm
November 13, 2003



Teresa Walberg
Supervisory Patent Examiner
Group 3703